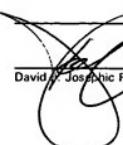


Express Mail No. EV372583202US
Information Disclosure Statement dated March 1, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P. O. Box 1450, Alexandria VA 22313-1450 on


March 1, 2004
David R. Josephic, R. No. 29,849 March 1, 2004
Date

Continuation-In-Part of:

Serial No: 10/254,118
Filed: September 25, 2002
Applicant: Ronnie L. Howard et al
Title: ULTRA-HIGH TEMPERATURE PASTEURIZED MILK CONCENTRATE, PACKAGE, DISPENSER AND METHOD OF PRODUCING SAME
Art Unit: 1761
Examiner: S. Weinstein
Conf. No: 9580

Cincinnati, Ohio 45202

March 1, 2004

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of candor and good faith which is imposed by Rule 56 (37 C.F.R. §1.56), the art listed on the attached form PTO-1449 is called to the attention of the U.S. Patent and Trademark Office in connection with the above identified patent application. Copies of the cited "foreign" references and "other documents" are attached hereto. No

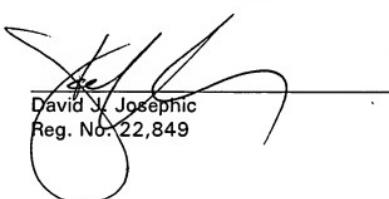
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.R./

representation is made.that the cited art is the only art or that the cited art represents the best art.

The Examiner is urged to consider the cited references and to make an independent decision with respect to their materiality.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.



David J. Josephic
Reg. No. 22,849

2700 Carew Tower
441 Vine Street
Cincinnati OH 45202
(513)241-2324

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE							ATTY. DOCKET NO. MTECH/11	SERIAL NO. CIP of 10/254,118			
		INFORMATION DISCLOSURE STATEMENT BY APPLICANT							APPLICANT Ronnie L. Howard and Frank D. Lauch				
(37 CFR 1.98(b))		(Use several sheets if necessary)							FILING DATE March 1, 2004	GROUP unknown			
U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		PATENT NUMBER					ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE		
/D.R./	A.A	2	4	7	3	4	9	3	6/14/49	Herbert E. Otting, et al.	99	55	
	A.B	2	4	9	0	5	0	9	9/11/46	Herbert E. Otting	99	55	
	A.C	2	5	0	5	0	6	9	8/21/51	David D. Peebles	99	55	
	A.D	2	5	7	0	2	3	1	10/9/51	Francis Frederick Hansen	99	55	
	A.C	2	6	0	3	0	4	2	6/26/51	Randall Whitaker, et al.	99	55	
	A.F	2	7	1	2	5	0	4	7/5/55	Wallace H. Coulter	99	212	
	A.G	2	8	2	2	2	7	7	2/4/58	Melvin E. Ellertson, et al.	99	212	
	A.H	2	8	2	7	3	8	1	3/18/58	John M. Boyd	99	184	
	A.I	2	8	4	5	3	5	0	7/29/58	Donald F. Wilcox	99	55	
↓	A.J	2	8	6	0	0	5	7	11/11/58	Donald F. Wilcox	99	212	
/D.R./	A.K	2	8	8	6	4	5	0	5/12/59	Aubrey P. Stewart, Jr., et al.	99	200	
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS													
		DOCUMENT NUMBER			PUBLICATION DATE	COUNTRY OR PATENT OFFICE		CLASS	SUBCLASS	TRANSLATION (YES/NO)			
/D.R./	A.L	1085224			28 January 1955	FR		4		No			
/D.R./	A.M	1405512			10 September 1975	GB		A23C	9/10	N/A			
/D.R./	A.N	WO 92/21245			10 December 1992	International		A23C 1/00	3/02	N/A			
	A.O												
	A.P												
	A.Q												
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)													
/D.R./	A.R	D. D. Muir, et al., Production and properties of in-can sterilised concentrated milk with 39% solids: seasonal effects, Milchwissenschaft 47 (1) 8-11 1992											
/D.R./	A.S	Tetra Pak, Tetra Therm Aseptic VTIS Direct UHT treatment module - based on steam injection, ©1996 Tetra Pak Processing Systems AB, Lund, Sweden											
/D.R./	A.T	U.S. Dept of Health & Human Services, Grade "A" Pasteurized Milk Ordinance, Public Health Service/FDA Publication No. 229, Section 7, pp. 18-19, 1999 Revision											
EXAMINER /Daniel Robinson/					DATE CONSIDERED 09/05/2008								
EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.													
Substitute Disclosure Form (PTO-1449)													

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.R./

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE					ATTY. DOCKET NO. MTECH/11	SERIAL NO. CIP of 10/254,118	
							APPLICANT Ronnie L. Howard and Frank D. Lauch		
		(Use several sheets if necessary)					FILING DATE March 1, 2004	GROUP unknown	
U.S. PATENT DOCUMENTS									

EXAMINER INITIAL		PATENT NUMBER					ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
/D.R./	B.A	3	0	3	1	3	1	5	4/24/62	Abraham Leviton, et al.	99	215
	B.B	3	0	6	5	0	8	6	11/20/62	Abraham Leviton, et al.	99	212
	B.C	3	0	7	2	4	9	1	1/8/63	Abraham Leviton, et al.	99	212
	B.D	3	1	0	8	8	7	5	10/29/63	Raymond W. Bell	99	55
	B.E	3	1	1	9	7	0	2	1/28/64	Abraham Leviton, et al.	99	212
	B.F	3	1	6	7	4	3	7	1/26/65	Abraham Leviton, et al.	99	212
	B.G	4	0	9	1	1	1	8	5/23/78	Olivier de Rham	426	46
	B.H	4	2	8	2	2	6	2	8/4/81	Jon R. Blake	426	565
	B.I	4	3	6	2	7	5	6	12/7/82	Alexander W. Williams	426	587
↓	B.J	4	7	0	1	3	2	9	10/20/87	Catherine E. Nelson, et al.	426	74
/D.R./	B.K	4	8	4	2	8	8	4	8/27/89	George N. Bookwalter, et al.	426	585

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	B.L						
	B.M						
	B.N						
	B.O						
	B.P						
	B.Q						

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

/D.R./	B.R	Ronnie L. Howard, et al., <u>Ultra-High Temperature Milk Concentrate Package and Method of Producing Same</u> , US 2001/O026825 A1
	B.S	
	B.T	

EXAMINER	/Daniel Robinson/	DATE CONSIDERED	09/05/2008
----------	-------------------	-----------------	------------

EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE					ATTY. DOCKET NO. MTECH/11	SERIAL NO. CIP of 10/254,118					
		INFORMATION DISCLOSURE STATEMENT BY APPLICANT					APPLICANT Ronnie L. Howard and Frank D. Lauch						
(37 CFR 1.98(b))							FILING DATE March 1, 2004	GROUP unknown					
U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		PATENT NUMBER			ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE				
/D.R./	C.A	4	8	5	1	2	5	0	7/25/89	Herve X. Bronnert	426	511	
	C.B	4	9	2	1	7	1	7	5/1/90	Heva m. P. Ranjith	426	587	
	C.C	9	2	2	3	2	9	9	6/29/93	Ernesto Dalan, et al.	426	587	
	C.D	9	2	2	9	1	9	9	7/20/93	Michael Schwan	426	587	
	C.E	5	2	6	0	6	7	9	11/9/93	Karl-Heinz Zettler, et al.	426	231	
	C.F	5	3	5	3	9	6	3	10/11/94	Chris W. Gorski, et al.	222	129.1	
/D.R./	C.G	5	7	6	6	6	6	6	6/16/98	Paul Joseph Streiff, et al.	426	587	
	C.H												
	C.I												
	C.J												
	C.K												
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS													
		DOCUMENT NUMBER	PUBLICATION DATE		COUNTRY OR PATENT OFFICE		CLASS	SUBCLASS	TRANSLATION (YES/NO)				
	C.L												
	C.M												
	C.N												
	C.O												
	C.P												
	C.Q												
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)													
	C.R												
	C.S												
	C.T												
EXAMINER /Daniel Robinson/				DATE CONSIDERED					09/05/2008				
EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance <u>and</u> not considered. Include a copy of this form with next communication to applicant.													